

COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/21/2277/OF1
2.	Proposed Development:	CHANGE THE USE TO SUI GENERIS TO BE ABLE TO SET UP A PROFESSIONAL DOG GROOMING SALON AS WELL AS ADDING B2, B8 AND E G, BEING THE EXISTING USE OF THE UNIT.
3.	Location:	UNIT 5C, FRIZINGTON ROAD INDUSTRIAL ESTATE, FRIZINGTON ROAD, FRIZINGTON
4.	Parish:	Arlecdon and Frizington
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change
6.	Publicity Representations & Policy	Neighbour Notification Letter: YES Site Notice: YES Press Notice: NO Consultation Responses: See report Relevant Planning Policies: See report
7.	Report: SITE AND LOCATION This application relates to Unit 5C which is located on the existing Industrial Estate off Frizington Road in Frizington. There are other units located to the south with associated parking and access to the east. PROPOSAL This application seeks planning permission for the change of use of the building from Class B8 to a mixed use comprising use classes B2 (general industrial), B8 (storage and distribution), E(G)(II and III) (commercial, business and service) and Sui Generis for use as a dog grooming salon. There will be no external alterations to the building and access and parking will remain as existing.	

RELEVANT PLANNING APPLICATION HISTORY

Change of use to food delivery business, approved in July 2011 (application reference 4/11/2255/0F1 relates).

CONSULTATION RESPONSES

Cumbria Highways – No objections as it is considered that the proposal will not have a material effect on the existing highway conditions.

Local Lead Flood Authority – No objections as it is considered that proposal will not increase the flood risk on site or elsewhere.

Public Representation

The application has been advertised by way of a site notice and neighbour notification letters issued to 2 no. properties.

No responses have been received as a result of this advertisement.

PLANNING POLICIES

Planning law requires applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

Development Plan

Copeland Local Plan 2013 -2028 (Adopted December 2013)

Core Strategy

Policy ST1 – Strategic Development Principles

Policy ST2 – Spatial Development Strategy

Policy ER4 – Land and Premises for Economic Development

Policy ER5 – Improving the Quality of Employment Space

Policy ER6 – Location of Employment

Policy ER11 – Developing Enterprise and Skills

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM22 – Accessible Developments

Other Material Planning Considerations

National Planning Policy 2021 (NPPF)

Emerging Copeland Local Plan

The emerging Copeland Local Plan 2017-2035 is currently the subject of a Preferred Options Consultation. The Preferred Options Consultation builds upon the completed Issues and Options Consultation which finished in January 2020. Given the stage of preparation, the emerging Copeland Local Plan 2017-2035 has only limited weight in decision making, but provides an indication of the direction of travel of the emerging planning policies, which themselves have been developed in accordance with the provisions of the National Planning Policy Framework.

ASSESSMENT

Principle of the development

The Copeland Local Plan is generally supportive of the expansion of businesses and the re-use of existing buildings. The site is located within Frizington which is identified as a Local Centre under Policy ST2 of the Copeland Local Plan. The building was previously in use for light industrial purposes but this use ceased on 28th May 2021. The proposal intends to retain the existing uses of B2 and B8, but also allow for a Class E use for commercial, business and service and sui generis to allow for a dog grooming salon.

The flexible use is considered to be acceptable in this commercial location as it would be in keeping with the surrounding area where there are very few residential properties and a variety of other uses on the estate. The change of use will allow for the occupation of the building and for it to be utilized in the long term.

Whilst the change of use of the existing unit is acceptable in principle, as it is situated within an industrial estate and within Frizington, it does raise policy issues due to the loss of the commercial provision and use as a dog grooming salon. Policy DM3 seeks to safeguard employment areas and resists non employment uses unless the site is no longer viable, there are no suitable alternatives and the benefits of the proposal outweigh the loss of the employment. The industrial estate has had mixed fortunes for a number of years and full occupancy has rarely been achieved. Although the proposed use as a dog grooming salon is not normally found on an industrial estate, this estate is located within Frizington and is therefore central for utilization by the surrounding local population. The proposal will secure the future use of this building and provide local facilities in a sustainable location as advocated by Policy SS4. It would also provide employment opportunities. On this basis, the proposal is considered to be acceptable and it is unlikely to undermine the overall use of the industrial estate as a commercial park.

The proposal complies with Policies ST1 and ST2 of the Copeland Local Plan, with the location considered to be suitable for this type of development.

	<p><u>Impact on the surroundings</u></p> <p>The closest residential property is situated approximately 28 metres to the west and is separated from the unit by Frizington Road. On this basis, there are unlikely to be any amenity issues for the surrounding properties with regards to noise or smell. Furthermore, the unit is located within an estate of several units therefore this type of use is not new to the area.</p> <p>It is unlikely that the use as a dog grooming salon will have a detrimental effect on any residential dwellings. Dogs will be dropped off, groomed and collected with no overnight stay.</p> <p>Overall, the application is considered to be in keeping with the surrounding area and will comply with Policies ST1 and DM10.</p> <p><u>Access and parking</u></p> <p>Access to and parking on the property will remain as existing, taken from Frizington Road and into the industrial estate. Ample parking is available outside the unit. Cumbria Highways raised no objections to the proposal and considered that it is unlikely to have a negative impact on the local road network.</p> <p>Overall, it is considered that the application complies with Policy DM22 of the Copeland Local Plan and is unlikely to have a negative effect on the road network.</p> <p><u>Planning Balance and Conclusion</u></p> <p>There have been no objections to the proposal.</p> <p>The proposal will allow a commercial use to operate from a commercial park. The unit falls within the settlement boundary of Frizington which is listed as a Local Centre in the adopted Local Plan. It will provide a facility for the local population and also small scale employment. Adequate access and parking arrangements exist to serve the unit.</p> <p>The nature of the use and the separation distance to the nearest residential property is likely to protect residential amenity.</p> <p>Overall the reuse of this unit and the provision of a new business within the village is considered to outweigh any policy conflicts with regards to the loss of employment space.</p>
8.	<p>Recommendation:</p> <p>Approve (commence within 3 years)</p>
9.	<p>Conditions:</p> <ol style="list-style-type: none"> 1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission. <p>Reason</p> <p>To comply with Section 91 of the Town and Country Planning Act 1990 as amended by the</p>

	<p>Planning and Compulsory Purchase Act 2004.</p> <p>2. Permission shall relate to the following plans and documents as received on the respective dates and development shall be carried out in accordance with them: -</p> <p>Site Location Plan, scale 1:1250, received 16th June 2021; Block Plan, scale 1:200, received 16th June 2021.</p> <p>Reason</p> <p>To conform with the requirement of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.</p> <p>Statement</p> <p>The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development as set out in the National Planning Policy Framework.</p>
Case Officer: Sarah Papaleo	Date : 09/08/2021
Authorising Officer: N.J. Hayhurst	Date : 11/08/2021
Dedicated responses to:- N/A	